REMARKS/ARGUMENTS

Applicant has modified the specification of the application to correct the previous modification of the specification in the Preliminary Amendment of April 15, 2004 to indicate that the present application is a continuation application of U.S. Application Ser. No. 09/363,246.

The Examiner has objected to claim 9 as allegedly including a minor informality. Applicants have amended claim 9 in response.

Claims 1-10, 16, 17, 34 and 92-94 are currently pending in the application. The Examiner has rejected 1-10, 16, 34 and 92-94 under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent No. 6,026,376 to Kenney. The Examiner has also rejected claim 17 as allegedly being obvious over Kenney in view of U.S. Patent No. 6,697,103 to Fernandez et al.

Applicants have amended claim 1 to state that the user interface facilitates real-time navigation of said physical location, and that the image acquisition system provides, and the user interface displays, live images of a physical region. Claim 5 has been amended to state that the regions of the physical location are defined relative to the positional parameters of the image acquisition system, that product identifiers can be associated with corresponding regions, and that an image server is operative to identify the product identifiers corresponding to the region captured by a live image designated by the user. Claims 93 and 94 have also been amended to state that the image is a live image.

To anticipate, a reference must teach every element and limitation of the claim. See MPEP § 2131. As amended, Kenney fails to disclose or suggest the claimed subject matter, as Kenney does not teach real-time navigation of an actual physical space where live images are provided to users. Kenney discloses methods and systems that implement a virtual shopping facility from an actual shopping facility. According to Kenney, the

invention allows a user to browse a "virtual duplicate of an actual store." Kenney, Col. 1: 41-43. Specifically, Kenny teaches capturing images of an actual store, storing them in a database, and allowing remote users to navigate the store by selecting images stored in the database. Kenney, Col. 2: 22-36. Kenney, however, does not teach the use of a remotely controlled camera to capture images of the store; rather, Kenney teaches the use of a digital camera or the like. See Kenney, Col. 5: 24-43; & Col. 10: 29-32 (move digital camera throughout the store to capture images). In fact, Kenney also states that the virtual store can be created or rendered by a "computer graphics" program. See Kenney, Col. 5: 29-37.

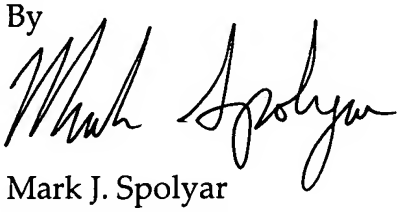
Kenney also fails to teach the subject matter of claim 5. Specifically, Kenney does not teach associating product identifiers with the positional parameters of an image acquisition system. Rather, Kenney teaches the association of a product list to the x-y-z coordinates of an actual/virtual store. Kenney, however, does not disclose or suggest defining the regions of a remote physical location in relation to the positional parameters (e.g., camera location, pan, tilt, zoom for PTZ cameras, spherical coordinates for fisheye lens cameras and the like) of an image acquisition system required for the image acquisition system to capture an image of the selected region and associating a product list to such positional parameters. Rather, Kenney discloses a system that maintains a user's virtual position within a virtual store relative to x-y-z (three-dimensional) parameters of the virtual store. In Kenney, the user's position is maintained by monitoring the movement of a cursor or other interface control, translating that virtual movement into new x-y-z parameters, and displaying a stored (not live) image corresponding to the new parameters. Unlike Kenney, the positional parameters of the present invention are defined relative to one or more cameras associated with the image acquisition system. In the present invention, as a user remotely navigates an actual physical location (by selecting regions in the location and requesting images of the selected regions), a processor scans the

positional parameters of an image acquisition system required to capture an image of the selected region against the parameter region database to locate a product identifier corresponding to at least one product, if any, in the selected region. The new live image the selected region is transmitted with any corresponding product identifiers. Figure 8 of the present application illustrates this concept.

As to claim 17, given that the Examiner relies on Fernandez merely for its teaching of a computer-controlled, pan-tilt-zoom camera. Accordingly, the foregoing reasoning applies to traverse the Examiner's rejection of claim 17.

In light of the foregoing, Applicant believes that all currently pending claims are presently in condition for allowance. Applicant respectfully requests a timely Notice of Allowance be issued in this case. If the Examiner believes that a telephone conference would expedite prosecution of the present application, the Examiner is invited to call the undersigned at the telephone number set forth below.

Respectfully Submitted,
LAW OFFICE OF MARK J. SPOLYAR
By



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